

REMARKS/ARGUMENTS

Favorable reconsideration of this application is requested in view of the above amendments and in light of the following remarks and discussion.

Claims 1-4, 8-19, 22, 23, 25-27, 34, 35, and 38-45 are pending. Claims 1, 2, 8, 12, 13, 14, 15, 16, 17, 22, 26, 34, and 35 are amended. Claims 38-45 are newly added. Claims 5-7, 20, 21, 24, 28-33, and 36-37 are canceled. Support for the amendments to Claims 1 and 17 can be found in numbered paragraphs [0079]-[0081] and [0083], and in Fig. 2, for example. Support for the amendment to Claim 2 can be found in numbered paragraphs [0080] and [0081], for example. Support for the amendment to Claim 8 is self-evident. Support for the amendment to Claim 12 can be found in numbered paragraphs [0080]-[0081], for example. Support for the amendment to Claim 13 is self-evident. Support for the amendment to Claim 14 can be found in numbered paragraphs [0080]-[0081], for example. Support for the amendments to Claims 15 and 16 is self-evident. Support for the amendment to Claim 22 is self-evident. Support for the amendments to Claims 26, 34, and 35 is self-evident. Support for newly added Claim 38 can be found in the published application in numbered paragraph [0083] and in numbered paragraph [0102], for example. Support for newly added Claim 39 can be found in numbered paragraph [0081], for example. Support for newly added Claims 40 and 41 can be found in numbered paragraphs [0083] and [0102], for example. Support for newly added Claim 42 can be found in numbered paragraph [0116] and in Fig. 4, for example. Support for newly added Claim 43 can be found in numbered paragraph [0103], for example. Support for newly added Claim 44 can be found in numbered paragraph [0147]. Support for newly added Claim 45 can be found in numbered paragraph [0163], for example. No new matter is added.

In the outstanding Office Action, Claims 35 and 36 were rejected under 35 U.S.C. § 112, second paragraph, as indefinite. Claims 1-3, 17-22, 25, 27, and 29-31 were rejected

under 35 U.S.C. § 102(b) as anticipated by Naoki et al. (U.S. Patent No. 6,074,487, herein "Naoki '487"). Claims 1-4, 25, 29-30, and 35 were rejected under 35 U.S.C. § 102(b) as anticipated by Sun et al. (U.S. Patent No. 6,409,839, herein "Sun '839"). Claims 24 and 28 were rejected under 35 U.S.C. § 102(b) as anticipated by Sun '839. Claims 31 and 37 were rejected under 35 U.S.C. § 103(a) as obvious over Sun '839. Claims 17-23 and 27 were rejected under 35 U.S.C. § 103(a) as obvious over Sun '839. Claims 6, 8-10, 12-16, 26, and 32-34 were rejected under 35 U.S.C. § 103(a) as obvious over Sun '839. Claim 11 was rejected under 35 U.S.C. § 103(a) as obvious over Sun '839 in view of Zhao et al. (U.S. Patent Pub. 2003/0033978, herein "Zhao '978").

Independent Claims 6 and 24 are canceled, and Applicants respectfully submit that any rejection of these claims or the claims depending therefrom is negated.

Regarding the rejection of Claims 35 and 36 as indefinite, Claim 36 is canceled. Accordingly, any rejection of this claim is negated.

Claim 35 is amended to recite "the gas outlet" rather than "a gas outlet." Accordingly, Applicants respectfully submit that the rejection of Claim 35 for reciting "a gas outlet" is overcome.

Regarding the rejection of Claim 35 for reciting "the filter member," Applicants respectfully submit that independent Claim 1 recites a filter member. Accordingly, it is appropriate for Claim 35, which depends from amended independent Claim 1, to recite "the filter member." Therefore, Applicants respectfully request that the rejection of Claim 35 for reciting "the filter member" be withdrawn.

Regarding the rejection of Claim 1 as anticipated by Naoki '487 and as anticipated by Sun '839, those rejections are respectfully traversed by the present response.

In the vaporizer recited in Claim 1, the filter member receives heat through its **peripheral** portion from a wall of the delivery part, and also receives heat through its

position other than a peripheral portion from the transfer member. With this arrangement, the filter member provides the re-vaporization effect of residual mist, and is prevented from suffering local deposition of the source material (or being clogged) ([0024]). Further, maintenance operations, such as cleaning or replacement, can be easily performed for the filter member ([0029]).

In Naoki '487, an external heater (215) is disposed to heat a wall portion (203) facing a porous heater (216) serving as a filter (for example, in FIG. 13). However, the filter (216) is not set in thermal contact with or fixed to this wall portion (203) at the **peripheral** portion, unlike the filter member recited in Claim 1.

In Sun '839, a filter member (160) is set in contact with the part surrounding the filter member (160) **only** at the **lower** end. Accordingly, even if the part surrounding the filter member (160) can transfer heat, the **upper** side (160A) of the filter member (160) may not be sufficiently heated.

Accordingly, neither Naoki '487 nor Sun '839 recites all the features of independent Claim 1.

Regarding the rejection of Claim 17 as anticipated by Naoki '487 and as anticipated by Sun '839, those rejections are respectfully traversed by the present response.

Amended independent Claim 17 recites, in part:

- a heater configured to heat the gas material flowing through the gas passage,
- a plurality of columns disposed and distributed in the gas passage to serve as a fluid baffle and set in thermal contact with the wall to transfer heat from the heater,
- wherein the plurality of columns are disposed to prevent the gas material, which flows toward the gas outlet, from directly reaching the gas outlet while traveling in a straight path from the communication clearance.

Accordingly, in the vaporizer recited in Claim 17, the gas material (containing residual mist) flowing through the gas passage reaches the gas outlet after it comes into contact with a plurality of columns disposed and distributed in the gas passage to serve as a fluid baffle and

set in thermal contact with the wall to transfer heat from the heater. Consequently, it is possible to promote the effect of vaporizing the residual mist while ensuring flow of the gas material ([0162]).

With respect to Naoki '487, the outstanding Office Action asserts that FIG. 13, for example, shows non-labeled columns between a heater plate (218) and a cover (203), which correspond to the columns recited in Claim 17. As regarding Sun '839, the outstanding Office Action indicates that a central support (148) shown in FIG. 11 corresponds to the columns according to Claim 17. However, the members cited in the outstanding Office Action are merely support members, and do not satisfy the corresponding claim element of amended Claim 17 "a **plurality** of columns disposed and distributed in the gas passage to serve as a **fluid baffle** and set in thermal contact with the wall to transfer heat from the heater." In fact, the central support (148) described in Sun '839 is only a single support, not a plurality. Additionally, any support members connecting the heater plate (218) to the upper cover (203) do not act as baffle members inasmuch as these members are completely covered by the heater plate (218).

Regarding the rejection of the dependent claims as anticipated by Naoki '487, as anticipated by Sun '839, or as obvious over Sun '839, Applicants respectfully submit that as amended independent Claims 1 and 17 patentably distinguish over the above-noted references, the dependent claims also patentably distinguish over both Naoki '487 and Sun '839.

Regarding the rejection of Claim 11 as obvious over Sun '839 view of Zhao, that rejection is respectfully traversed by the present response.

The outstanding Office Action relies on Zhao '978 for the feature of a slit-shaped opening, which is bent in a thickness direction of the shield plate. However, Zhao fails to remedy the deficiencies discussed above regarding Sun '839 in relation to Claim 1.

Accordingly, Applicants respectfully submit that no proper combination of the cited references would include all of the features recited in amended independent Claim 1 or Claim 11 depending therefrom.

For the foregoing reasons, it is respectfully submitted that this application is now in condition for allowance. A Notice of Allowance for Claims 1-4, 8-19, 22, 23, 25, 26, 27, 34, 35, and 38-45 is earnestly solicited.

Should Examiner Chen deem that any further action is necessary to place this application in even better form for allowance, Examiner Chen is encouraged to contact Applicants' undersigned representative at the below-listed telephone number.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Steven P. Weihrouch
Attorney of Record
Registration No. 32,829

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/07)

Lee L. Stepina
Registration No. 56,837